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December 27, 2011

The Honorable Dora L. Irizarry
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Favors v. Cuomo, 1:11-cv-5632-DLI-RLM

Dear Judge Irizarry:

I write in response to the Court's Order to Show Cause dated December 20, 2011 regarding the letter from Defendant Oaks dated December 9, 2011.

Plaintiffs agree that Your Honor may decide the pending motion to dismiss insofar as it does not seek to determine Plaintiffs' action on the merits, but rather addresses only whether or not this action is ripe. Indeed, it is Plaintiffs' belief that Your Honor's prompt consideration of the motion to dismiss in advance of the convening of a three-judge panel will further expedite the ultimate resolution of this dispute by allowing the three-judge court to focus on the substantive merits of this action.

Respectfully yours,



Richard Mancino

cc: All Defendants (via ECF)